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Attorneys for Defendant

DIGITAL NETWORKS NORTH AMERICA, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

JEN ERIK SORENSEN, as Trustee
of SORENSEN RESEARCH AND
DEVELOPMENT TRUST,

Plaintiff,

v.

DIGITAL NETWORKS NORTH
AMERICA, INC., a Delaware
corporation; LEGACY SUPPORT
SERVICES, LTD. d/b/a S2G; and
DOES 1-100,

Defendants.

No. 07 CV 5568 JSW

**DEFENDANT DIGITAL NETWORKS
NORTH AMERICA'S RESPONSE TO
JUDICIAL REFERRAL FOR PURPOSE
OF DETERMINING RELATIONSHIP OF
CASES**

1 Defendant Digital Networks North America (“DNNA”) hereby concurs with Plaintiff’s
2 Response to Judicial Referral for Purposes of Determining Relationship of cases filed on
3 March 31, 2004. (Document No. 42 – Case No. CV-05568-JSW.)

4 Under the definition of related cases set forth in Local Rule 3-12(a), an action is only
5 related to another when it “appears likely that there will be an unduly burdensome duplication of
6 labor and expense or conflicting results if the cases are conducted before different Judges.”

7 There is unlikely to be any burdensome duplication if the case filed by plaintiff Sorensen
8 against DNNA is not deemed related to the cases filed by Sorensen against First International
9 Digital Inc. (“First International”) and Ampro Tools Corporation (“Ampro Tools”).

10 As reflected in the Docket Reports for Case No. CV-05525-JSW and Case No. CV-
11 00096-CW. Judge White has entered a default judgment against First International, and Judge
12 Wilken's Clerk has entered a Notice of Default against Ampro Tools. Unlike the suit against
13 DNNA, the First International and Ampro Tools cases are likely to involve the enforcement of
14 default judgments rather than the interpretation of Sorensen’s asserted patent.

15 Dated: April 1, 2008.

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